

Message Text

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ACTION DLOS-05

INFO OCT-01 AF-04 IO-10 ISO-00 CG-00 CIAE-00 DODE-00 PM-03

H-01 INR-05 L-02 NSAE-00 NSC-05 PA-01 RSC-01 PRS-01

SP-02 SS-15 USIA-06 OIC-02 AID-05 CEQ-01 COA-01

COME-00 EB-04 EPA-01 NSF-01 OES-03 FEAE-00 ACDA-05

CEA-01 AEC-05 AGR-05 DOTE-00 FMC-01 INT-05 JUSE-00

CIEP-01 OMB-01 ARA-06 EA-06 EUR-12 NEA-06 /134 W

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FM AMEMBASSY ACCRA

TO SECSTATE WASHDC 5520

INFO USMISSION USUN NY

C O N F I D E N T I A L ACCRA 6362

EO 11652 GDS

TAGS: PLOS GH

SUB: LOS: CONSULTATIONS WITH GNANAIAI OFFICIALS

REF: ABIDJAN 8971

1. SUMMARY: DISCUSSION NEITHER CONFIRMED NOR DENIED REPORTS THAT GHANAIS PLAN TO CLAIM 200-MILE ECONOMIC ZONE PRIOR TO LOS AGREEMENT. GHANAIAI LOS VIEWS REMAIN AS STATED AT CARACAS. END SUMMARY.

2. IN SERIES OF SEPARATE MEETINGS ON 12 AND 13 NOV, EMB LOS OFFICERS AND LOS SPECIALIST NORDQUIST MET WITH E.N. MOORE, ATTORNEY GENERAL AND COMMISSIONER FOR JUSTICE; S.K.B. ASANTE, DEPUTY ATTORNEY GENERAL; W.W.K. VANDERPUYE, SUPERVISING DIRECTOR/LEGAL, MINISTRY OF FOREIGN AFFAIRS; J.N.N. ADJETEY, CHIEF FISHERIES OFFICER; K. SEKYIAMAH, ACTING DIRECTOR, INTERNATIONAL ORGANIZATIONS AND CONFERENCES DIVISION, MINISTRY OF FOREIGN AFFAIRS; B. ATEPOR, DIRECTOR OF AFRICA DIVISION/OAU, MINISTRY
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OF FOREIGN AFFAIRS; AND G. NIKOI, STATE ATTORNEY. MOORE HEADED

GOG LOS DELEGATION TO CARACAS, ASANTE CHAIRS GOG INTERAGENCY LOS COMMITTEE, VANDERPUYE IS GOG'S INTERAGENCY LOS COMMITTEE. ALL DISCUSSIONS WERE FRIENDLY, AND GHANAIS APPARENTLY WELCOMED OPPORTUNITY TO EXCHANGE VIEWS ON LOS WITH US.

3. DISCUSSIONS WITH GOG OFFICIALS WERE INCONCLUSIVE ON ISSUE OF WHETHER GHANA WILL EXTEND TO 200-MILE ECONOMIC ZONE PRIOR TO LOS MEETING IN GENEVA. IN RESPONSE TO EXPLANATION ABOUT PERILS OF UNILATERALISM AT THIS TIME, MOST INFLUENTIAL GHANAIAN, MOORE, AGREED THAT UNILATERAL ACTION ON LOS WAS UNDESIRABLE AND WAS TO BE AVOIDED. EARLIER, ASANTE, VANDERPUYE AND ADJETEY HAD GIVEN PAT ANSWER THAT GHANA SUPPORTED OAU POSITION, I.E., 200 MILE ECONOMIC ZONE. WHEN PRESSED FOR GREATER DETAIL, EACH WAS EVASIVE ABOUT WHETHER UNILATERAL ACTION WAS PRESENTLY BEING CONSIDERED BY GHANA. THEY MAY NOT KNOW.

4. MOST MEANINGFUL EXCHANGE OF VIEWS WAS WITH VANDERPUYE, WHO WAS OBVIOUSLY MOST UP TO DATE ON LOS DEVELOPMENTS. HE IS SOPHISTICATED AND KNOWLEDGEABLE AND IS PROBABLY INTELLECTUAL LEADER IN GOG LOS POLICY DEVELOPMENT PROCESS. HE ASKED WHY US WANTED STRAITS RIGHTS THAT WERE GREATER THAN THOSE PROVIDED BY EXISTING LAW. HE WAS INFORMED OF US VIEW THAT HIGH SEAS EXIST BEYOND 3 MILES AND THAT STRAITS IN QUESTION HAD BEEN USED FOR SUBMERGED TRANSIT AND OVERLIGHT FOR MANY YEARS WITHOUT INCIDENT. THUS, US TRANSIT PROPOSAL WAS MERELY SEEKING RETENTION OF STATE PRACTICE AND HAD PROVEN WORKABLE. VANDERPUYE HAD NOT FOCUSED ON DISPUTE SETTLEMENT ISSUES. HOWEVER, HE PROMISED TO STUDY ALTERNATIVE PROPOSALS WORKING PAPER AND HE PROBABLY WILL. GHANAIS WERE NOT SYMPATHETIC TO LANDLOCKED STATES' DEMANDS THAT RECOGNIZED SOME ACCOMMODATION WAS NECESSARY TO MAINTAIN OAU SOLIDARITY.

5. MOORE SAID UNEQUIVOCALLY THAT GHANA WOULD PULL BACK TO 12-MILE TERRITORIAL SEA IN CONTEXT OF AGREED LOS TREATY. ADJETEY ACKNOWLEDGED THAT 30-MILE TERRITORIAL SEA HAD HURT GHANA IN ITS BILATERAL FISHERIES TREATY WITH MAURITANIA, AS GHANAIS WERE NOT PERMITTED UNDER THE AGREEMENT TO FISH WITHIN 300 MILES OF MAURITANIA. GHANA WANTS TO EXPAND ITS DISTANT-WATER FISHING CAPABILITY, PARTICULARLY FOR TUNA. ADJETEY UNDERSTOOD THAT THOSE FISHING FOR TUNA BOTH WITHIN AND OUTSIDE 200 MILES WOULD HAVE TO

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PARTICIPATE TO CONSERVE AND MANAGE THIS RESOURCE EFFECTIVELY.

6. ONE OVERALL IMPRESSION WAS THAT GOG ADOPTS OAU POSITION WHENEVER GHANAIS DO NOT PERCEIVE THEY HAVE SIGNIFICANT INTERESTS OR WHEN IN DOUBT ABOUT POLICY TO FOLLOW. VANDERPUYE WILL BE GHANA'S LOS REPRESENTATIVE FOR BOTH OAU AND AFRO-ASIAN LEGAL CONSULTATIVE COMMITTEE MEETINGS.

7. VANDERPUYE WAS ONLY GHANAIAAN WHO HAD GIVEN MUCH CONSIDERATION TO LOS SINCE CARACAS. ASANTE REMARKED THAT NORDQUIST VISIT MIGHT SPUR RECONVENING OF GOG INTERAGENCY LOS TASK FORCE. MOORE WAS QUITE EMPHATIC IN STATING THAT CARACAS WAS QUOTE CERTAINLY NOT A FAILURE UNQUOTE. VANDERPUYE DID NOT BELIEVE LOS WORK COULD BE FINISHED IN GENEVA, BUT HE DID NOT HAVE ANY SOLUTION TO OFFER EXCEPT TO EXTEND NEGOTIATIONS INTO 1976. ALL GHANAIAANS CONTACTED WANTED LOS TREATY ASAP AND FELT TIME HAD ARRIVED TO SETTLE DIFFERENCES ON SUBJECT.
HANSON

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